

Appl. No. 10/821,052  
Amdt. Date: February 6, 2008  
Reply to Office action: August 6, 2007

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**Amendments to the Claims:**

This listing of the claims will replace all prior versions, and listings, of the claims in the application.

**Listing of Claims:**

Please amend the claims as follows without prejudice. No new matter has been added by way of these amendments.

Claim 1 (Currently Amended) A method for accurately conveying wireless connection availability through a tower in a defined area comprising the steps of:

determining a the maximum call connection capacity of the tower;

establishing multiple threshold calling activity capacity levels of the tower, the threshold levels beginning with an initial threshold level at a predetermine call connection count and having one or more threshold levels up to the maximum call connection capacity;

monitoring ~~the~~ calling activity through the tower by maintaining a constant count ~~of the number~~ of wireless devices that are connected through the a specific tower;

detecting when the calling activity has exceeded a an established threshold calling activity capacity level of said multiple threshold calling activity levels for the that tower;

identifying the determining a threshold calling activity level that is the closest level ~~to the determined calling capacity that has been exceeded by the determined to the detected calling activity capacity that has been exceeded by the detected calling activity ;~~ and

broadcasting a connection availability message ~~to wireless devices in the area of the tower based on the detecting~~ detected calling activity resulting from a maintained constant count of number of wireless devices connected through the a specific tower, the broadcasted connection availability message reflecting the corresponding to that closest calling activity threshold level closest to the detected calling activity that has been is exceeded by the detected calling activity.

Claim 2 (Canceled)

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Claim 3 (Canceled)

Claim 4 (Currently Amended) The method as described in claim 1 further comprising after said broadcasting of a connection availability message step, the steps of detecting, receiving and displaying the broadcasted message at a wireless device in the area of the tower.

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Claim 5 (Currently Amended) The method as described in claim 4 wherein the display of the broadcasted message is a periodic period event on the wireless device based on detected calling activity at the tower, the broadcasted message indicating that corresponds to content of the calling availability through that tower.

Claim 6 (Canceled)

Claim 7 (Canceled)

Claim 8 (Canceled)

Claim 9 (Canceled)

Claim 10 (Currently Amended) A system and system for accurately conveying wireless connection availability comprising:

a telephone tower for use in connecting wireless devices;

a software routine encoded in a computer readable medium within the telephone tower, said software routine capable of:

maintaining a constant count of ~~the number of~~ devices that are connected through the tower;

~~detecting of detecting~~ when the maintained constant count ~~number~~ of wireless devices connected via the tower exceeds a predetermined threshold level;

identifying the determining a the threshold calling activity level that is ~~the closest threshold calling activity level to the determined calling capacity that has been exceeded by the determined to the detected calling activity capacity activity that has been exceeded by the detected calling activity;~~ and

broadcasting a connection availability message ~~to wireless devices in the area of the tower based on the detecting~~ detected calling activity

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resulting from a maintained constant count of ~~number~~ of wireless devices connected through the ~~a~~-specific tower, the broadcasted connection availability message reflecting the ~~corresponding to that closest~~ calling activity threshold level closest to the detected calling activity that has been is exceeded by the detected calling activity;

a wireless device for use in communicating via the telephone control tower; and

a software routine encoded in a computer readable medium within the wireless device for detecting, receiving and displaying connection availability via the tower.

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Claim 11 (Currently Amended) A computer program product stored in a computer readable medium encoded with a computer program for accurately conveying wireless connection availability through a tower in a defined area comprising:

instructions ~~for determining a the~~ maximum call connection capacity of the tower;

instructions ~~for establishing multiple threshold~~ calling activity capacity levels of the tower based on the maximum call connection capacity of the tower;

instructions ~~for monitoring the calling activity through the tower by maintaining a constant count of the number of wireless devices that are connected through the a specific tower; and~~

instructions ~~for detecting when the calling activity has exceeded an the~~ established threshold calling activity capacity level for that tower;

instructions ~~for identifying determining a the~~ calling activity threshold level that is the threshold calling activity level closest level to the detected calling activity determined calling capacity that has been exceeded by a the detected determined calling activity capacity; and

instructions ~~for broadcasting a connection availability message to wireless devices in the area of the tower based on detected the detecting~~ calling activity resulting from a maintained constant count of number of wireless devices connected through the a specific tower, the broadcasted connection availability message being based on the calling activity threshold level closest to but ~~exceeded by corresponding to the particular threshold level that is~~ exceeded by the detected calling activity.

Claim 12 (Canceled)

Claim 13 (Canceled)

Claim 14 (Currently Amended) The computer program product as described in claim 11 further comprising after said broadcasting instructions, instructions ~~for detecting~~, receiving and displaying the broadcasted message at a wireless device in the area of the tower.

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Claim 15 (Currently Amended) The computer program product as described in claim 11 wherein said threshold establishing instructions further comprise instructions ~~for~~ establishing multiple threshold levels, the multiple threshold levels beginning with an initial threshold level at a predetermine call connection count and one or more threshold levels up to the maximum call connection capacity.

Claim 16 (Canceled)

Claim 17 (Canceled)

Claim 18 (Canceled)

Claim 19 (New) The method as described in claim 1 wherein said establishing multiple call activity levels further comprises establishing an initial threshold level at a predetermine call connection count and having two or more threshold levels up to the maximum call connection capacity.